

OVERVIEW of the Daf

1) Unspecified funds

The Mishnah's ruling that unspecified funds are used for voluntary communal offerings is challenged since part of the money is money that would have been used for a Chatas.

R" Yochanan asserts that this halacha is a Halacha L'Moshe M'Sinai.

Reish Laksih asserts that the halacha could be inferred from a pasuk.

Reish Lakish's position is challenged.

Rava answers the challenge to Reish Lakish's position and in doing so he cites a Baraisa.

2) Clarifying the Baraisa

The necessity for the Baraisa to teach that the offspring and temurah of an Olah or Shelamim are not left to die is explained.

It is explained why an exposition is necessary to teach that the offspring of a Chatas and the temurah of an Asham are not brought as offerings since it is known from Halacha L'Moshe M'Sinai.

R' Akiva's exposition in the Baraisa is challenged.

The Gemara agrees that the exposition is unnecessary and offers an alternative use for the verse.

3) Unspecified funds (cont.)

The earlier statement that Halacha L'Moshe M'Sinai teaches that extra unspecified nazir funds are used for voluntary communal offerings is challenged since there are other cases where this halacha is true. ■

REVIEW and Remember

1. According to R' Yochanan, what is the Halacha L'Moshe M'Sinai regarding unspecified nazir funds?
2. What is done with the offspring of sacrificial animals?
3. What is done with an Asham that cannot be offered as a Korban?
4. What is the status of an Asham that was slaughtered as an Olah?

Distinctive INSIGHT

The money for נזיר may be used for נדבה

ריש לקיש אמר לכל נדריהם ולכל נדבותם, התורה אמרה מותר נזיר יהא לנדבה

The Torah Temima explains the nuance of the verse from where the Gemara derives its insight. The verse lists נזיר and נדבה together. This suggests that the two have a common factor of their designation of holiness, to the extent that we can say that the money remaining after a person brings his נזיר can be used to purchase a נדבה.

The תפארת ציון points out that the verse (Vayikra 22:18) states: "Any man of the House of Israel...who will bring his offering for any of his vows (נדריהם) or their voluntary offerings (נדבותם)..." This implies that the same funds may be used to satisfy one's fulfillment of either type of offering. The same money which was earmarked for his personal נזיר may be later used to pay for the communal עולה for קיץ המזבח, which is a נדבה.

The commentators point that this opinion of Reish Lakish must be reconciled with a Baraisa (26a) which deals with the money remaining from a situation where a person is about to bring a קן, a pair of birds. The Baraisa teaches that if two birds were designated without specifying which bird was a chattas and which was an olah (סתם), and the birds died, the money may be used for נדבה. This implies that if the two birds in the set were each designated (מפורש), the money could not be used for נדבה, even though they are מותר נדבה. Rabeinu Peretz, however, learns that Reish Lakish would have to say that the Baraisa argues with our Mishnah.

Tosafos adds that although this verse which parallels נזיר and נדבה is not found in the context of nazir, Reish Lakish still feels that the lesson of the verse is applicable to teach that the funds designated by a nazir, who has pronounced a vow, may be used for a נדבה. The remaining funds earmarked for a shelamim or olah, however, would certainly be able to be used for a נדבה of shelamim or olah, even without the verse teaching that this is so. ■

HALACHAH Highlight

Animals unusable for a chatas or asham

כל שאילו בחטאת מתה באשם רועה

Whenever a chatas is left to die an asham will be left to graze [until it develops a blemish]

The Gemara mentions one of the cases of an animal designated to be offered as a Korban Chatas that will be killed. Rambam¹ lists different examples of animals designated to be offered as a Korban Chatas that will be killed. Amongst his examples are: 1) The offspring of a Korban Chatas; 2) The exchange (תמורה) of a Korban Chatas; and 3) A Korban Chatas that is left after the owner died. Rambam emphasizes that the halacha that these animals are killed is not literal in the sense that one actively kills the animal; rather the animal is locked in a room and left to die. This halacha derived from Halacha L'Moshe M'Sinai only applies to an animal designated to be offered as a Korban Chatas for an individual, but an animal designated to be offered as a communal Korban Chatas that became lost and was subsequently found after a replacement animal

was offered is put out to graze until it develops a blemish. Once the animal becomes blemished it is sold and the proceeds of the sale are used to fund voluntary communal korbanos. Rambam also takes note of the fact that three of the cases where the chatas is left to die are not applicable to a communal chatas. A communal chatas cannot have an offspring since a communal chatas will always be a male animal. The communal chatas will also not be capable of designating an exchange animal since the community cannot designate an animal as an exchange. Lastly, it is not possible for the community to die for a communal chatas to be categorized as a chatas whose owner died.

Rambam² also cites the ruling of our Gemara related to an animal designated to be offered as a Korban Asham. Halacha L'Moshe M'Sinai teaches that whenever a circumstance would dictate that a Korban Chatas should be left for death a Korban Asham will be left to graze until it develops a blemish and is then sold with the proceeds used for voluntary communal korbanos.

1. רמב"ם פ"ד מהל' פסולי המוקדשין ה"א.

2. רמב"ם שם ה"ד. ■

STORIES Off the Daf

The Blessing of Nazir

"הלכה היא בנייר..."

It is well known that Maseches Nazir is difficult to learn. Not only is the subject matter complex, but the Nodah B'Yehudah said that it is often hard to understand what the Tosafos means to say, especially since there are many errors in the text. There is even a dispute regarding whether the Rashi in Nazir is really Rashi or not. The Chavas Yair says it definitely is not, while Rav Elchonon Wasserman, zt"l, presents various proofs that it is. Despite the

hardships or perhaps because of them, learning this Mesechtah can have a unique affect on the learner, as the following story illustrates:

When the Rogatchover Gaon, zt"l, was a child of five or six, his father, Rav Fishel Rosen, zt"l, took him to his Rebbe, the Tzemach Tzedek of Lubavitch, zt"l.

The Rebbe looked at the young genius and blessed him that he merit to be a lamdan. Interestingly, he also told him to learn Maseches Nazir.

When the father and son left the Rebbe's room, the young ilui turned to his father and asked, "What is the connection between becoming a lamdan and learning

Maseches Nazir? Clearly, a true lamdan knows the whole of Shas and not merely Meseches Nazir." His father had no answer.

After a few minutes, the young prodigy answered his own question. "The Rebbe means I should be like a Nazir, and since the only way to do that is to learn this tractate, he ordered me to learn it! That is how his brocho will be fulfilled, through my focusing on the message of this tractate."

It is interesting to note that the young prodigy didn't cut his hair.

As we continue to learn this Mesechta, may we internalize the message of the nazir who restrains himself from excess! ■

